

REMARKS

This Response to the Office Action mailed August 27, 2009, is believed to address each and every issue raised in the Action. A favorable reconsideration of the application is respectfully requested.

Claim Status

Upon entry of the amendment, which is respectfully requested, claims 1-7 of the instant application will be pending and claims 2-5 are withdrawn. Claim 1 has been amended to more clearly set forth the subject matter of the present invention. Support for the amendment of claim 1 can be found in the specification, for example, in Examples 1-42.

Formal Matters

Applicants thank the Examiner for considering the Information Disclosure Statements filed on May 15, 2009 and July 1, 2009, and for returning initialed copies of the PTO/SB/08 forms. With regard to the IDS filed on May 15, 2009, the Examiner indicated that the English abstracts of JP 1992-089450 and DE 04249153 are incomprehensible because the words on the right side of the abstracts are missing. Applicants submit herewith a supplemental IDS including complete English abstracts of JP 1992-089450 and DE 04249153.

Response to Objection to Specification

On page 3 of the Action, the Examiner indicates that on page 7, for example, in line 3, the "n" in the term "in" is distorted. Further, the Examiner alleges that on page 7, for example, there is a "vertical line of distortion" toward the right side of the page.

Although Applicants disagree with the Examiner's position that the specification is illegible, in an effort to advance prosecution Applicants submit herewith a substitute specification. In addition, the paragraph at page 8, lines 9-13, has been amended to correct a

typographical error. Specifically, the term “p-toluene sulponic acid” has been corrected to read “p-toluene sulfonic acid.” No new matter is added. As this is merely to correct an obvious typographical error, Applicants respectfully submit that the amendment does not raise an issue that requires new search or consideration. Entry of the amendment and allowance of the application are respectfully requested.

Claim Rejections under 35 U.S.C. § 103

On page 6 of the Action, the Examiner maintains the rejection of claims 1, 6 and 7 under 35 U.S.C. 103(a) as allegedly being unpatentable over Linares et al. (U.S. Patent No. 5,641,479), in view of Mitsuno et al. (U.S. Patent No. 4,767,625), as evidenced by Yokoyama et al. (J Wood Sci, Vol. 44, pages 421-422; 1998).

Applicants reiterate the arguments submitted in the Response filed on May 15, 2009 and submit that currently amended claim 1 recites the specifically preferred pentaerythritol compounds of the present invention. None of Linares, Mitsuno, or Yokoyama teaches or suggests the use of these specific compounds.

Further, as the Examiner admits, neither Linares nor Mitsuno specifically discloses the pentaerythritol derivatives represented by Formula 1, and moreover, the combined teachings of the cited references are not even fairly suggestive of the particular compounds recited in instant claim 1. Therefore, it is clear that one of ordinary skill in the art would not have selected the particular pentaerythritol compounds recited in amended claim 1 in view of the broad teachings of the cited references.

In addition, claims 6 and 7, which depend, either directly or indirectly, from claim 1 are patentable for the same reasons that claim 1 is patentable.

Accordingly, Linares does not disclose or render obvious each and every feature of the present invention and Mitsuno and Yokoyama fail to make up for the deficiencies of Linares. Applicants respectfully request the reconsideration and withdrawal of the 35 U.S.C. § 103 rejection.

Conclusion

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,

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